

**10:5-8.2 et al**  
**LEGISLATIVE HISTORY CHECKLIST**  
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**LAWS OF:** 2019                      **CHAPTER:** 436

**NJSA:** **10:5-8.2 et al** (Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination.")

**BILL NO:** S3878                      (Substituted for A5394)

**SPONSOR(S)** M. Teresa Ruiz and others

**DATE INTRODUCED:** 5/30/2019

**COMMITTEE:**                      **ASSEMBLY:** ---

**SENATE:**                      SJU

**AMENDED DURING PASSAGE:**                      No

**DATE OF PASSAGE:**                      **ASSEMBLY:** 1/13/2020

**SENATE:** 1/13/2020

**DATE OF APPROVAL:**                      1/21/2020

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Senate Committee Substitute enacted)                      Yes

**S3878**

**SPONSOR'S STATEMENT:** (Begins on page 5 of introduced bill)                      Yes

**COMMITTEE STATEMENT:**                      **ASSEMBLY:**                      No

**SENATE:**                      Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                      No

**LEGISLATIVE FISCAL ESTIMATE:**                      No

**A5394**

**SPONSOR'S STATEMENT:** (Begins on page 5 of introduced bill)                      Yes

**COMMITTEE STATEMENT:**                      **ASSEMBLY:**                      Yes

**SENATE:**                      No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

<b>FLOOR AMENDMENT STATEMENT:</b>	No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	No
<b>VETO MESSAGE:</b>	No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>	Yes
<b>FOLLOWING WERE PRINTED:</b>	
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<b>REPORTS:</b>	No
<b>HEARINGS:</b>	No
<b>NEWSPAPER ARTICLES:</b>	No

RWH/JA

P.L. 2019, CHAPTER 436, *approved January 21, 2020*  
Senate Committee Substitute for  
Senate, No. 3878

1 AN ACT concerning the enforcement of the “Law Against  
2 Discrimination,” amending various parts of the statutory law and  
3 supplementing Title 10 of the New Jersey Statutes.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. Section 3 of P.L.1945, c.169 (C.10:5-3) is amended to read  
9 as follows:

10 3. The Legislature finds and declares that practices of  
11 discrimination against any of its inhabitants, because of race, creed,  
12 color, national origin, ancestry, age, sex, gender identity or  
13 expression, affectional or sexual orientation, marital status, familial  
14 status, liability for service in the Armed Forces of the United States,  
15 disability or nationality, are matters of concern to the government  
16 of the State, and that such discrimination threatens not only the  
17 rights and proper privileges of the inhabitants of the State but  
18 menaces the institutions and foundation of a free democratic State;  
19 provided, however, that nothing in this expression of policy  
20 prevents the making of legitimate distinctions between citizens and  
21 aliens when required by federal law or otherwise necessary to  
22 promote the national interest.

23 The Legislature further declares its opposition to such practices  
24 of discrimination when directed against any person by reason of the  
25 race, creed, color, national origin, ancestry, age, sex, gender  
26 identity or expression, affectional or sexual orientation, marital  
27 status, liability for service in the Armed Forces of the United States,  
28 disability or nationality of that person or that person's **[spouse]**  
29 family members, partners, members, stockholders, directors,  
30 officers, managers, superintendents, agents, employees, business  
31 associates, suppliers, or customers, in order that the economic  
32 prosperity and general welfare of the inhabitants of the State may  
33 be protected and ensured.

34 The Legislature further finds that because of discrimination,  
35 people suffer personal hardships, and the State suffers a grievous  
36 harm. The personal hardships include: economic loss; time loss;  
37 physical and emotional stress; and in some cases severe emotional  
38 trauma, illness, homelessness or other irreparable harm resulting  
39 from the strain of employment controversies; relocation, search and  
40 moving difficulties; anxiety caused by lack of information,  
41 uncertainty, and resultant planning difficulty; career, education,  
42 family and social disruption; and adjustment problems, which

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 particularly impact on those protected by this act. Such harms  
2 have, under the common law, given rise to legal remedies, including  
3 compensatory and punitive damages. The Legislature intends that  
4 such damages be available to all persons protected by this act and  
5 that this act shall be liberally construed in combination with other  
6 protections available under the laws of this State.  
7 (cf: P.L.2006, c.100, s.2)

8  
9 2. Section 5 of P.L.1945, c.169 (C.10:5-5) is amended to read  
10 as follows:

11 5. As used in P.L.1945, c.169 (C.10:5-1 et seq.), unless a  
12 different meaning clearly appears from the context:

13 a. "Person" includes one or more individuals, partnerships,  
14 associations, organizations, labor organizations, corporations, legal  
15 representatives, trustees, trustees in bankruptcy, receivers, and  
16 fiduciaries.

17 b. "Employment agency" includes any person undertaking to  
18 procure employees or opportunities for others to work.

19 c. "Labor organization" includes any organization which exists  
20 and is constituted for the purpose, in whole or in part, of collective  
21 bargaining, or of dealing with employers concerning grievances,  
22 terms or conditions of employment, or of other mutual aid or  
23 protection in connection with employment.

24 d. "Unlawful employment practice" and "unlawful  
25 discrimination" include only those unlawful practices and acts  
26 specified in section 11 of P.L.1945, c.169 (C.10:5-12).

27 e. "Employer" includes all persons as defined in subsection a.  
28 of this section unless otherwise specifically exempt under another  
29 section of P.L.1945, c.169 (C.10:5-1 et seq.), and includes the State,  
30 any political or civil subdivision thereof, and all public officers,  
31 agencies, boards, or bodies.

32 f. "Employee" does not include any individual employed in the  
33 domestic service of any person.

34 g. "Liability for service in the Armed Forces of the United  
35 States" means subject to being ordered as an individual or member  
36 of an organized unit into active service in the Armed Forces of the  
37 United States by reason of membership in the National Guard, naval  
38 militia or a reserve component of the Armed Forces of the United  
39 States, or subject to being inducted into such armed forces through  
40 a system of national selective service.

41 h. "Division" means the "Division on Civil Rights" created by  
42 P.L.1945, c.169 (C.10:5-1 et seq.).

43 i. "Attorney General" means the Attorney General of the State  
44 of New Jersey or the Attorney General's representative or designee.

45 j. "Commission" means the Commission on Civil Rights  
46 created by P.L.1945, c.169 (C.10:5-1 et seq.).

- 1 k. "Director" means the Director of the Division on Civil  
2 Rights.
- 3 l. "A place of public accommodation" shall include, but not be  
4 limited to: any tavern, roadhouse, hotel, motel, trailer camp,  
5 summer camp, day camp, or resort camp, whether for entertainment  
6 of transient guests or accommodation of those seeking health,  
7 recreation, or rest; any producer, manufacturer, wholesaler,  
8 distributor, retail shop, store, establishment, or concession dealing  
9 with goods or services of any kind; any restaurant, eating house, or  
10 place where food is sold for consumption on the premises; any  
11 place maintained for the sale of ice cream, ice and fruit preparations  
12 or their derivatives, soda water or confections, or where any  
13 beverages of any kind are retailed for consumption on the premises;  
14 any garage, any public conveyance operated on land or water or in  
15 the air or any stations and terminals thereof; any bathhouse,  
16 boardwalk, or seashore accommodation; any auditorium, meeting  
17 place, or hall; any theatre, motion-picture house, music hall, roof  
18 garden, skating rink, swimming pool, amusement and recreation  
19 park, fair, bowling alley, gymnasium, shooting gallery, billiard and  
20 pool parlor, or other place of amusement; any comfort station; any  
21 dispensary, clinic, or hospital; any public library; and any  
22 kindergarten, primary and secondary school, trade or business  
23 school, high school, academy, college and university, or any  
24 educational institution under the supervision of the State Board of  
25 Education or the Commissioner of Education of the State of New  
26 Jersey. Nothing herein contained shall be construed to include or to  
27 apply to any institution, bona fide club, or place of accommodation,  
28 which is in its nature distinctly private; nor shall anything herein  
29 contained apply to any educational facility operated or maintained  
30 by a bona fide religious or sectarian institution, and the right of a  
31 natural parent or one in loco parentis to direct the education and  
32 upbringing of a child under his control is hereby affirmed; nor shall  
33 anything herein contained be construed to bar any private secondary  
34 or post-secondary school from using in good faith criteria other than  
35 race, creed, color, national origin, ancestry, gender identity, or  
36 expression or affectional or sexual orientation in the admission of  
37 students.
- 38 m. "A publicly assisted housing accommodation" shall include  
39 all housing built with public funds or public assistance pursuant to  
40 P.L.1949, c.300, P.L.1941, c.213, P.L.1944, c.169, P.L.1949, c.303,  
41 P.L.1938, c.19, P.L.1938, c.20, P.L.1946, c.52, and P.L.1949,  
42 c.184, and all housing financed in whole or in part by a loan,  
43 whether or not secured by a mortgage, the repayment of which is  
44 guaranteed or insured by the federal government or any agency  
45 thereof.

1 n. The term "real property" includes real estate, lands,  
2 tenements and hereditaments, corporeal and incorporeal, and  
3 leaseholds, provided, however, that, except as to publicly assisted  
4 housing accommodations, the provisions of this act shall not apply  
5 to the rental: (1) of a single apartment or flat in a two-family  
6 dwelling, the other occupancy unit of which is occupied by the  
7 owner as a residence; or (2) of a room or rooms to another person or  
8 persons by the owner or occupant of a one-family dwelling  
9 occupied by the owner or occupant as a residence at the time of  
10 such rental. Nothing herein contained shall be construed to bar any  
11 religious or denominational institution or organization, or any  
12 organization operated for charitable or educational purposes, which  
13 is operated, supervised, or controlled by or in connection with a  
14 religious organization, in the sale, lease, or rental of real property,  
15 from limiting admission to or giving preference to persons of the  
16 same religion or denomination or from making such selection as is  
17 calculated by such organization to promote the religious principles  
18 for which it is established or maintained. Nor does any provision  
19 under this act regarding discrimination on the basis of familial  
20 status apply with respect to housing for older persons.

21 o. "Real estate broker" includes a person, firm, or corporation  
22 who, for a fee, commission, or other valuable consideration, or by  
23 reason of promise or reasonable expectation thereof, lists for sale,  
24 sells, exchanges, buys or rents, or offers or attempts to negotiate a  
25 sale, exchange, purchase, or rental of real estate or an interest  
26 therein, or collects or offers or attempts to collect rent for the use of  
27 real estate, or solicits for prospective purchasers or assists or directs  
28 in the procuring of prospects or the negotiation or closing of any  
29 transaction which does or is contemplated to result in the sale,  
30 exchange, leasing, renting, or auctioning of any real estate, or  
31 negotiates, or offers or attempts or agrees to negotiate a loan  
32 secured or to be secured by mortgage or other encumbrance upon or  
33 transfer of any real estate for others; or any person who, for  
34 pecuniary gain or expectation of pecuniary gain conducts a public  
35 or private competitive sale of lands or any interest in lands. In the  
36 sale of lots, the term "real estate broker" shall also include any  
37 person, partnership, association, or corporation employed by or on  
38 behalf of the owner or owners of lots or other parcels of real estate,  
39 at a stated salary, or upon a commission, or upon a salary and  
40 commission or otherwise, to sell such real estate, or any parts  
41 thereof, in lots or other parcels, and who shall sell or exchange, or  
42 offer or attempt or agree to negotiate the sale or exchange, of any  
43 such lot or parcel of real estate.

44 p. "Real estate salesperson" includes any person who, for  
45 compensation, valuable consideration or commission, or other thing  
46 of value, or by reason of a promise or reasonable expectation

1   thereof, is employed by and operates under the supervision of a  
2   licensed real estate broker to sell or offer to sell, buy or offer to buy  
3   or negotiate the purchase, sale, or exchange of real estate, or offers  
4   or attempts to negotiate a loan secured or to be secured by a  
5   mortgage or other encumbrance upon or transfer of real estate, or to  
6   lease or rent, or offer to lease or rent any real estate for others, or to  
7   collect rents for the use of real estate, or to solicit for prospective  
8   purchasers or lessees of real estate, or who is employed by a  
9   licensed real estate broker to sell or offer to sell lots or other parcels  
10   of real estate, at a stated salary, or upon a commission, or upon a  
11   salary and commission, or otherwise to sell real estate, or any parts  
12   thereof, in lots or other parcels.

13    q. "Disability" means physical or sensory disability, infirmity,  
14   malformation, or disfigurement which is caused by bodily injury,  
15   birth defect, or illness including epilepsy and other seizure  
16   disorders, and which shall include, but not be limited to, any degree  
17   of paralysis, amputation, lack of physical coordination, blindness or  
18   visual impairment, deafness or hearing impairment, muteness or  
19   speech impairment, or physical reliance on a service or guide dog,  
20   wheelchair, or other remedial appliance or device, or any mental,  
21   psychological, or developmental disability, including autism  
22   spectrum disorders, resulting from anatomical, psychological,  
23   physiological, or neurological conditions which prevents the typical  
24   exercise of any bodily or mental functions or is demonstrable,  
25   medically or psychologically, by accepted clinical or laboratory  
26   diagnostic techniques. Disability shall also mean AIDS or HIV  
27   infection.

28    r. "Blind person" or "person who is blind" means any  
29   individual whose central visual acuity does not exceed 20/200 in the  
30   better eye with correcting lens or whose visual acuity is better than  
31   20/200 if accompanied by a limit to the field of vision in the better  
32   eye to such a degree that its widest diameter subtends an angle of  
33   no greater than 20 degrees.

34    s. "Guide dog" means a dog used to assist persons who are  
35   deaf, or which is fitted with a special harness so as to be suitable as  
36   an aid to the mobility of a person who is blind, and is used by a  
37   person who is blind and has satisfactorily completed a specific  
38   course of training in the use of such a dog, and has been trained by  
39   an organization generally recognized by agencies involved in the  
40   rehabilitation of persons with disabilities, including, but not limited  
41   to, those persons who are blind or deaf, as reputable and competent  
42   to provide dogs with training of this type.

43    t. "Guide or service dog trainer" means any person who is  
44   employed by an organization generally recognized by agencies  
45   involved in the rehabilitation of persons with disabilities, including,  
46   but not limited to, those persons who are blind, have visual

1 impairments, or are deaf or have hearing impairments, as reputable  
2 and competent to provide dogs with training, as defined in this  
3 section, and who is actually involved in the training process.

4 u. "Housing accommodation" means any publicly assisted  
5 housing accommodation or any real property, or portion thereof,  
6 which is used or occupied, or is intended, arranged, or designed to  
7 be used or occupied, as the home, residence, or sleeping place of  
8 one or more persons, but shall not include any single family  
9 residence the occupants of which rent, lease, or furnish for  
10 compensation not more than one room therein.

11 v. "Public facility" means any place of public accommodation  
12 and any street, highway, sidewalk, walkway, public building, and  
13 any other place or structure to which the general public is regularly,  
14 normally, or customarily permitted or invited.

15 w. "Deaf person" or "person who is deaf" means any person  
16 whose hearing is so severely impaired that the person is unable to  
17 hear and understand conversational speech through the unaided ear  
18 alone, and who must depend primarily on an assistive listening  
19 device or visual communication such as writing, lip reading, sign  
20 language, and gestures.

21 x. "Atypical hereditary cellular or blood trait" means sickle cell  
22 trait, hemoglobin C trait, thalassemia trait, Tay-Sachs trait, or cystic  
23 fibrosis trait.

24 y. "Sickle cell trait" means the condition wherein the major  
25 natural hemoglobin components present in the blood of the  
26 individual are hemoglobin A (normal) and hemoglobin S (sickle  
27 hemoglobin) as defined by standard chemical and physical analytic  
28 techniques, including electrophoresis; and the proportion of  
29 hemoglobin A is greater than the proportion of hemoglobin S or one  
30 natural parent of the individual is shown to have only normal  
31 hemoglobin components (hemoglobin A, hemoglobin A2,  
32 hemoglobin F) in the normal proportions by standard chemical and  
33 physical analytic tests.

34 z. "Hemoglobin C trait" means the condition wherein the major  
35 natural hemoglobin components present in the blood of the  
36 individual are hemoglobin A (normal) and hemoglobin C as defined  
37 by standard chemical and physical analytic techniques, including  
38 electrophoresis; and the proportion of hemoglobin A is greater than  
39 the proportion of hemoglobin C or one natural parent of the  
40 individual is shown to have only normal hemoglobin components  
41 (hemoglobin A, hemoglobin A2, hemoglobin F) in normal  
42 proportions by standard chemical and physical analytic tests.

43 aa. "Thalassemia trait" means the presence of the thalassemia  
44 gene which in combination with another similar gene results in the  
45 chronic hereditary disease Cooley's anemia.



- 1       bb. "Tay-Sachs trait" means the presence of the Tay-Sachs gene  
2 which in combination with another similar gene results in the  
3 chronic hereditary disease Tay-Sachs.
- 4       cc. "Cystic fibrosis trait" means the presence of the cystic  
5 fibrosis gene which in combination with another similar gene  
6 results in the chronic hereditary disease cystic fibrosis.
- 7       dd. "Service dog" means any dog individually trained to the  
8 requirements of a person with a disability including, but not limited  
9 to minimal protection work, rescue work, pulling a wheelchair or  
10 retrieving dropped items. This term shall include a "seizure dog"  
11 trained to alert or otherwise assist persons with epilepsy or other  
12 seizure disorders.
- 13       ee. "Qualified Medicaid applicant" means an individual who is a  
14 qualified applicant pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).
- 15       ff. "AIDS" means acquired immune deficiency syndrome as  
16 defined by the Centers for Disease Control and Prevention of the  
17 United States Public Health Service.
- 18       gg. "HIV infection" means infection with the human  
19 immunodeficiency virus or any other related virus identified as a  
20 probable causative agent of AIDS.
- 21       hh. "Affectional or sexual orientation" means male or female  
22 heterosexuality, homosexuality, or bisexuality by inclination,  
23 practice, identity, or expression, having a history thereof or being  
24 perceived, presumed, or identified by others as having such an  
25 orientation.
- 26       ii. "Heterosexuality" means affectional, emotional, or physical  
27 attraction or behavior which is primarily directed towards persons  
28 of the other gender.
- 29       jj. "Homosexuality" means affectional, emotional, or physical  
30 attraction or behavior which is primarily directed towards persons  
31 of the same gender.
- 32       kk. "Bisexuality" means affectional, emotional, or physical  
33 attraction or behavior which is directed towards persons of either  
34 gender.
- 35       ll. "Familial status" means being the natural parent of a child,  
36 the adoptive parent of a child, the resource family parent of a child,  
37 having a "parent and child relationship" with a child as defined by  
38 State law, or having sole or joint legal or physical custody, care,  
39 guardianship, or visitation with a child, or any person who is  
40 pregnant or is in the process of securing legal custody of any  
41 individual who has not attained the age of 18 years.
- 42       mm. "Housing for older persons" means housing:  
43       (1) provided under any State program that the Attorney General  
44 determines is specifically designed and operated to assist persons  
45 who are elderly (as defined in the State program); or provided under  
46 any federal program that the United States Department of Housing

1 and Urban Development determines is specifically designed and  
2 operated to assist persons who are elderly (as defined in the federal  
3 program); or

4 (2) intended for, and solely occupied by, persons 62 years of age  
5 or older; or

6 (3) intended and operated for occupancy by at least one person  
7 55 years of age or older per unit. In determining whether housing  
8 qualifies as housing for older persons under this paragraph, the  
9 Attorney General shall adopt regulations which require at least the  
10 following factors:

11 (a) the existence of significant facilities and services  
12 specifically designed to meet the physical or social needs of older  
13 persons, or if the provision of such facilities and services is not  
14 practicable, that such housing is necessary to provide important  
15 housing opportunities for older persons; and

16 (b) that at least 80 percent of the units are occupied by at least  
17 one person 55 years of age or older per unit; and

18 (c) the publication of, and adherence to, policies and procedures  
19 which demonstrate an intent by the owner or manager to provide  
20 housing for persons 55 years of age or older.

21 Housing shall not fail to meet the requirements for housing for  
22 older persons by reason of: persons residing in such housing as of  
23 September 13, 1988 not meeting the age requirements of this  
24 subsection, provided that new occupants of such housing meet the  
25 age requirements of this subsection; or unoccupied units, provided  
26 that such units are reserved for occupancy by persons who meet the  
27 age requirements of this subsection.

28 nn. "Genetic characteristic" means any inherited gene or  
29 chromosome, or alteration thereof, that is scientifically or medically  
30 believed to predispose an individual to a disease, disorder, or  
31 syndrome, or to be associated with a statistically significant  
32 increased risk of development of a disease, disorder, or syndrome.

33 oo. "Genetic information" means the information about genes,  
34 gene products, or inherited characteristics that may derive from an  
35 individual or family member.

36 pp. "Genetic test" means a test for determining the presence or  
37 absence of an inherited genetic characteristic in an individual,  
38 including tests of nucleic acids such as DNA, RNA, and  
39 mitochondrial DNA, chromosomes, or proteins in order to identify a  
40 predisposing genetic characteristic.

41 qq. "Domestic partnership" means a domestic partnership  
42 established pursuant to section 4 of P.L.2003, c.246 (C.26:8A-4).

43 rr. "Gender identity or expression" means having or being  
44 perceived as having a gender related identity or expression whether  
45 or not stereotypically associated with a person's assigned sex at  
46 birth.

1 ss. "Civil Union" means a legally recognized union of two  
2 eligible individuals established pursuant to R.S.37:1-1 et seq. and  
3 P.L.2006, c.103 (C.37:1-28 et al.).

4 tt. "Premium wages" means additional remuneration for night,  
5 weekend, or holiday work, or for standby or irregular duty.

6 uu. "Premium benefit" means an employment benefit, such as  
7 seniority, group life insurance, health insurance, disability  
8 insurance, sick leave, annual leave, or an educational or pension  
9 benefit that is greater than the employment benefit due the  
10 employee for an equivalent period of work performed during the  
11 regular work schedule of the employee.

12 vv. "Family member" means a child, parent, parent-in-law,  
13 sibling, grandparent, grandchild, spouse, partner in a civil union  
14 couple, domestic partner, or any other individual related by blood to  
15 the person, and any other individual that the person shows to have a  
16 close association with the person which is the equivalent of a family  
17 relationship.

18 (cf: P.L.2017, c.131, s.8)

19

20 3. Section 11 of P.L.1945, c.169 (C.10:5-12) is amended to  
21 read as follows:

22 11. It shall be an unlawful employment practice, or, as the case  
23 may be, an unlawful discrimination:

24 a. For an employer, because of the race, creed, color, national  
25 origin, ancestry, age, marital status, civil union status, domestic  
26 partnership status, affectional or sexual orientation, genetic  
27 information, pregnancy or breastfeeding, sex, gender identity or  
28 expression, disability or atypical hereditary cellular or blood trait of  
29 any individual, or because of the liability for service in the Armed  
30 Forces of the United States or the nationality of any individual, or  
31 because of the refusal to submit to a genetic test or make available  
32 the results of a genetic test to an employer, to refuse to hire or  
33 employ or to bar or to discharge or require to retire, unless justified  
34 by lawful considerations other than age, from employment such  
35 individual or to discriminate against such individual in  
36 compensation or in terms, conditions or privileges of employment;  
37 provided, however, it shall not be an unlawful employment practice  
38 to refuse to accept for employment an applicant who has received a  
39 notice of induction or orders to report for active duty in the armed  
40 forces; provided further that nothing herein contained shall be  
41 construed to bar an employer from refusing to accept for  
42 employment any person on the basis of sex in those certain  
43 circumstances where sex is a bona fide occupational qualification,  
44 reasonably necessary to the normal operation of the particular  
45 business or enterprise; provided further that nothing herein  
46 contained shall be construed to bar an employer from refusing to

1 accept for employment or to promote any person over 70 years of  
2 age; provided further that it shall not be an unlawful employment  
3 practice for a club exclusively social or fraternal to use club  
4 membership as a uniform qualification for employment, or for a  
5 religious association or organization to utilize religious affiliation  
6 as a uniform qualification in the employment of clergy, religious  
7 teachers or other employees engaged in the religious activities of  
8 the association or organization, or in following the tenets of its  
9 religion in establishing and utilizing criteria for employment of an  
10 employee; provided further, that it shall not be an unlawful  
11 employment practice to require the retirement of any employee  
12 who, for the two-year period immediately before retirement, is  
13 employed in a bona fide executive or a high policy-making position,  
14 if that employee is entitled to an immediate non-forfeitable annual  
15 retirement benefit from a pension, profit sharing, savings or  
16 deferred retirement plan, or any combination of those plans, of the  
17 employer of that employee which equals in the aggregate at least  
18 \$27,000.00; and provided further that an employer may restrict  
19 employment to citizens of the United States where such restriction  
20 is required by federal law or is otherwise necessary to protect the  
21 national interest.

22 The provisions of subsections a. and b. of section 57 of  
23 P.L.2003, c.246 (C.34:11A-20), and the provisions of section 58 of  
24 P.L.2003, c.246 (C.26:8A-11), shall not be deemed to be an  
25 unlawful discrimination under P.L.1945, c.169 (C.10:5-1 et seq.).

26 For the purposes of this subsection, a "bona fide executive" is a  
27 top level employee who exercises substantial executive authority  
28 over a significant number of employees and a large volume of  
29 business. A "high policy-making position" is a position in which a  
30 person plays a significant role in developing policy and in  
31 recommending the implementation thereof.

32 For the purposes of this subsection, an unlawful employment  
33 practice occurs, with respect to discrimination in compensation or  
34 in the financial terms or conditions of employment, each occasion  
35 that an individual is affected by application of a discriminatory  
36 compensation decision or other practice, including, but not limited  
37 to, each occasion that wages, benefits, or other compensation are  
38 paid, resulting in whole or in part from the decision or other  
39 practice.

40 In addition to any other relief authorized by the "Law Against  
41 Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.) for  
42 discrimination in compensation or in the financial terms or  
43 conditions of employment, liability shall accrue and an aggrieved  
44 person may obtain relief for back pay for the entire period of time ,  
45 except not more than six years, in which the violation with regard to  
46 discrimination in compensation or in the financial terms or

1 conditions of employment has been continuous, if the violation  
2 continues to occur within the statute of limitations.

3 Nothing in this subsection shall prohibit the application of the  
4 doctrine of "continuing violation" or the "discovery rule" to any  
5 appropriate claim as those doctrines currently exist in New Jersey  
6 common law. It shall be an unlawful employment practice to  
7 require employees or prospective employees to consent to a  
8 shortened statute of limitations or to waive any of the protections  
9 provided by the "Law Against Discrimination," P.L.1945, c.169  
10 (C.10:5-1 et seq.).

11 b. For a labor organization, because of the race, creed, color,  
12 national origin, ancestry, age, marital status, civil union status,  
13 domestic partnership status, affectional or sexual orientation,  
14 gender identity or expression, disability, pregnancy or  
15 breastfeeding, or sex of any individual, or because of the liability  
16 for service in the Armed Forces of the United States or nationality  
17 of any individual, to exclude or to expel from its membership such  
18 individual or to discriminate in any way against any of its members,  
19 against any applicant for, or individual included in, any apprentice  
20 or other training program or against any employer or any individual  
21 employed by an employer; provided, however, that nothing herein  
22 contained shall be construed to bar a labor organization from  
23 excluding from its apprentice or other training programs any person  
24 on the basis of sex in those certain circumstances where sex is a  
25 bona fide occupational qualification reasonably necessary to the  
26 normal operation of the particular apprentice or other training  
27 program.

28 c. For any employer or employment agency to print or circulate  
29 or cause to be printed or circulated any statement, advertisement or  
30 publication, or to use any form of application for employment, or to  
31 make an inquiry in connection with prospective employment, which  
32 expresses, directly or indirectly, any limitation, specification or  
33 discrimination as to race, creed, color, national origin, ancestry,  
34 age, marital status, civil union status, domestic partnership status,  
35 affectional or sexual orientation, gender identity or expression,  
36 disability, nationality, pregnancy or breastfeeding, or sex or liability  
37 of any applicant for employment for service in the Armed Forces of  
38 the United States, or any intent to make any such limitation,  
39 specification or discrimination, unless based upon a bona fide  
40 occupational qualification.

41 d. For any person to take reprisals against any person because  
42 that person has opposed any practices or acts forbidden under this  
43 act or because that person has sought legal advice regarding rights  
44 under this act, shared relevant information with legal counsel,  
45 shared information with a governmental entity, or filed a complaint,  
46 testified or assisted in any proceeding under this act or to coerce,

1 intimidate, threaten or interfere with any person in the exercise or  
2 enjoyment of, or on account of that person having aided or  
3 encouraged any other person in the exercise or enjoyment of, any  
4 right granted or protected by this act.

5 e. For any person, whether an employer or an employee or not,  
6 to aid, abet, incite, compel or coerce the doing of any of the acts  
7 forbidden under this act, or to attempt to do so.

8 f. (1) For any owner, lessee, proprietor, manager,  
9 superintendent, agent, or employee of any place of public  
10 accommodation directly or indirectly to refuse, withhold from or  
11 deny to any person any of the accommodations, advantages,  
12 facilities or privileges thereof, or to discriminate against any person  
13 in the furnishing thereof, or directly or indirectly to publish,  
14 circulate, issue, display, post or mail any written or printed  
15 communication, notice, or advertisement to the effect that any of  
16 the accommodations, advantages, facilities, or privileges of any  
17 such place will be refused, withheld from, or denied to any person  
18 on account of the race, creed, color, national origin, ancestry,  
19 marital status, civil union status, domestic partnership status,  
20 pregnancy or breastfeeding, sex, gender identity or expression,  
21 affectional or sexual orientation, disability, liability for service in  
22 the Armed Forces of the United States or nationality of such person,  
23 or that the patronage or custom thereof of any person of any  
24 particular race, creed, color, national origin, ancestry, marital status,  
25 civil union status, domestic partnership status, pregnancy or  
26 breastfeeding status, sex, gender identity or expression, affectional  
27 or sexual orientation, disability, liability for service in the Armed  
28 Forces of the United States or nationality is unwelcome,  
29 objectionable or not acceptable, desired or solicited, and the  
30 production of any such written or printed communication, notice or  
31 advertisement, purporting to relate to any such place and to be made  
32 by any owner, lessee, proprietor, superintendent or manager thereof,  
33 shall be presumptive evidence in any action that the same was  
34 authorized by such person; provided, however, that nothing  
35 contained herein shall be construed to bar any place of public  
36 accommodation which is in its nature reasonably restricted  
37 exclusively to individuals of one sex, and which shall include but  
38 not be limited to any summer camp, day camp, or resort camp,  
39 bathhouse, dressing room, swimming pool, gymnasium, comfort  
40 station, dispensary, clinic or hospital, or school or educational  
41 institution which is restricted exclusively to individuals of one sex,  
42 provided individuals shall be admitted based on their gender  
43 identity or expression, from refusing, withholding from or denying  
44 to any individual of the opposite sex any of the accommodations,  
45 advantages, facilities or privileges thereof on the basis of sex;  
46 provided further, that the foregoing limitation shall not apply to any

1 restaurant as defined in R.S.33:1-1 or place where alcoholic  
2 beverages are served.

3 (2) Notwithstanding the definition of "a place of public  
4 accommodation" as set forth in subsection l. of section 5 of  
5 P.L.1945, c.169 (C.10:5-5), for any owner, lessee, proprietor,  
6 manager, superintendent, agent, or employee of any private club or  
7 association to directly or indirectly refuse, withhold from or deny to  
8 any individual who has been accepted as a club member and has  
9 contracted for or is otherwise entitled to full club membership any  
10 of the accommodations, advantages, facilities or privileges thereof,  
11 or to discriminate against any member in the furnishing thereof on  
12 account of the race, creed, color, national origin, ancestry, marital  
13 status, civil union status, domestic partnership status, pregnancy or  
14 breastfeeding, sex, gender identity, or expression, affectional or  
15 sexual orientation, disability, liability for service in the Armed  
16 Forces of the United States or nationality of such person.

17 In addition to the penalties otherwise provided for a violation of  
18 P.L.1945, c.169 (C.10:5-1 et seq.), if the violator of paragraph (2)  
19 of subsection f. of this section is the holder of an alcoholic beverage  
20 license issued under the provisions of R.S.33:1-12 for that private  
21 club or association, the matter shall be referred to the Director of  
22 the Division of Alcoholic Beverage Control who shall impose an  
23 appropriate penalty in accordance with the procedures set forth in  
24 R.S.33:1-31.

25 g. For any person, including but not limited to, any owner,  
26 lessee, sublessee, assignee or managing agent of, or other person  
27 having the right of ownership or possession of or the right to sell,  
28 rent, lease, assign, or sublease any real property or part or portion  
29 thereof, or any agent or employee of any of these:

30 (1) To refuse to sell, rent, lease, assign, or sublease or otherwise  
31 to deny to or withhold from any person or group of persons any real  
32 property or part or portion thereof because of race, creed, color,  
33 national origin, ancestry, marital status, civil union status, domestic  
34 partnership status, pregnancy or breastfeeding, sex, gender identity  
35 or expression, affectional or sexual orientation, familial status,  
36 disability, liability for service in the Armed Forces of the United  
37 States, nationality, or source of lawful income used for rental or  
38 mortgage payments;

39 (2) To discriminate against any person or group of persons  
40 because of race, creed, color, national origin, ancestry, marital  
41 status, civil union status, domestic partnership status, pregnancy or  
42 breastfeeding, sex, gender identity or expression, affectional or  
43 sexual orientation, familial status, disability, liability for service in  
44 the Armed Forces of the United States, nationality or source of  
45 lawful income used for rental or mortgage payments in the terms,  
46 conditions or privileges of the sale, rental or lease of any real

1 property or part or portion thereof or in the furnishing of facilities  
2 or services in connection therewith;

3 (3) To print, publish, circulate, issue, display, post or mail, or  
4 cause to be printed, published, circulated, issued, displayed, posted  
5 or mailed any statement, advertisement, publication or sign, or to  
6 use any form of application for the purchase, rental, lease,  
7 assignment or sublease of any real property or part or portion  
8 thereof, or to make any record or inquiry in connection with the  
9 prospective purchase, rental, lease, assignment, or sublease of any  
10 real property, or part or portion thereof which expresses, directly or  
11 indirectly, any limitation, specification or discrimination as to race,  
12 creed, color, national origin, ancestry, marital status, civil union  
13 status, domestic partnership status, pregnancy or breastfeeding, sex,  
14 gender identity, or expression, affectional or sexual orientation,  
15 familial status, disability, liability for service in the Armed Forces  
16 of the United States, nationality, or source of lawful income used  
17 for rental or mortgage payments, or any intent to make any such  
18 limitation, specification or discrimination, and the production of  
19 any such statement, advertisement, publicity, sign, form of  
20 application, record, or inquiry purporting to be made by any such  
21 person shall be presumptive evidence in any action that the same  
22 was authorized by such person; provided, however, that nothing  
23 contained in this subsection shall be construed to bar any person  
24 from refusing to sell, rent, lease, assign or sublease or from  
25 advertising or recording a qualification as to sex for any room,  
26 apartment, flat in a dwelling or residential facility which is planned  
27 exclusively for and occupied by individuals of one sex to any  
28 individual of the exclusively opposite sex on the basis of sex  
29 provided individuals shall be qualified based on their gender  
30 identity or expression;

31 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
32 to deny to or withhold from any person or group of persons any real  
33 property or part or portion thereof because of the source of any  
34 lawful income received by the person or the source of any lawful  
35 rent payment to be paid for the real property; or

36 (5) To refuse to rent or lease any real property to another person  
37 because that person's family includes children under 18 years of  
38 age, or to make an agreement, rental or lease of any real property  
39 which provides that the agreement, rental or lease shall be rendered  
40 null and void upon the birth of a child. This paragraph shall not  
41 apply to housing for older persons as defined in subsection mm. of  
42 section 5 of P.L.1945, c.169 (C.10:5-5).

43 h. For any person, including but not limited to, any real estate  
44 broker, real estate salesperson, or employee or agent thereof:

45 (1) To refuse to sell, rent, assign, lease or sublease, or offer for  
46 sale, rental, lease, assignment, or sublease any real property or part



1 or portion thereof to any person or group of persons or to refuse to  
2 negotiate for the sale, rental, lease, assignment, or sublease of any  
3 real property or part or portion thereof to any person or group of  
4 persons because of race, creed, color, national origin, ancestry,  
5 marital status, civil union status, domestic partnership status,  
6 familial status, pregnancy or breastfeeding, sex, gender identity or  
7 expression, affectional or sexual orientation, liability for service in  
8 the Armed Forces of the United States, disability, nationality, or  
9 source of lawful income used for rental or mortgage payments, or to  
10 represent that any real property or portion thereof is not available  
11 for inspection, sale, rental, lease, assignment, or sublease when in  
12 fact it is so available, or otherwise to deny or withhold any real  
13 property or any part or portion of facilities thereof to or from any  
14 person or group of persons because of race, creed, color, national  
15 origin, ancestry, marital status, civil union status, domestic  
16 partnership status, familial status, pregnancy or breastfeeding, sex,  
17 gender identity or expression, affectional or sexual orientation,  
18 disability, liability for service in the Armed Forces of the United  
19 States, or nationality;

20 (2) To discriminate against any person because of race, creed,  
21 color, national origin, ancestry, marital status, civil union status,  
22 domestic partnership status, familial status, pregnancy or  
23 breastfeeding, sex, gender identity or expression, affectional or  
24 sexual orientation, disability, liability for service in the Armed  
25 Forces of the United States, nationality, or source of lawful income  
26 used for rental or mortgage payments in the terms, conditions or  
27 privileges of the sale, rental, lease, assignment or sublease of any  
28 real property or part or portion thereof or in the furnishing of  
29 facilities or services in connection therewith;

30 (3) To print, publish, circulate, issue, display, post, or mail, or  
31 cause to be printed, published, circulated, issued, displayed, posted  
32 or mailed any statement, advertisement, publication or sign, or to  
33 use any form of application for the purchase, rental, lease,  
34 assignment, or sublease of any real property or part or portion  
35 thereof or to make any record or inquiry in connection with the  
36 prospective purchase, rental, lease, assignment, or sublease of any  
37 real property or part or portion thereof which expresses, directly or  
38 indirectly, any limitation, specification or discrimination as to race,  
39 creed, color, national origin, ancestry, marital status, civil union  
40 status, domestic partnership status, familial status, pregnancy or  
41 breastfeeding, sex, gender identity or expression, affectional or  
42 sexual orientation, disability, liability for service in the Armed  
43 Forces of the United States, nationality, or source of lawful income  
44 used for rental or mortgage payments or any intent to make any  
45 such limitation, specification or discrimination, and the production  
46 of any such statement, advertisement, publicity, sign, form of

1 application, record, or inquiry purporting to be made by any such  
2 person shall be presumptive evidence in any action that the same  
3 was authorized by such person; provided, however, that nothing  
4 contained in this subsection h., shall be construed to bar any person  
5 from refusing to sell, rent, lease, assign or sublease or from  
6 advertising or recording a qualification as to sex for any room,  
7 apartment, flat in a dwelling or residential facility which is planned  
8 exclusively for and occupied exclusively by individuals of one sex  
9 to any individual of the opposite sex on the basis of sex, provided  
10 individuals shall be qualified based on their gender identity or  
11 expression;

12 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
13 to deny to or withhold from any person or group of persons any real  
14 property or part or portion thereof because of the source of any  
15 lawful income received by the person or the source of any lawful  
16 rent payment to be paid for the real property; or

17 (5) To refuse to rent or lease any real property to another person  
18 because that person's family includes children under 18 years of  
19 age, or to make an agreement, rental or lease of any real property  
20 which provides that the agreement, rental or lease shall be rendered  
21 null and void upon the birth of a child. This paragraph shall not  
22 apply to housing for older persons as defined in subsection mm. of  
23 section 5 of P.L.1945, c.169 (C.10:5-5).

24 i. For any person, bank, banking organization, mortgage  
25 company, insurance company or other financial institution, lender  
26 or credit institution involved in the making or purchasing of any  
27 loan or extension of credit, for whatever purpose, whether secured  
28 by residential real estate or not, including but not limited to  
29 financial assistance for the purchase, acquisition, construction,  
30 rehabilitation, repair or maintenance of any real property or part or  
31 portion thereof or any agent or employee thereof:

32 (1) To discriminate against any person or group of persons  
33 because of race, creed, color, national origin, ancestry, marital  
34 status, civil union status, domestic partnership status, pregnancy or  
35 breastfeeding, sex, gender identity or expression, affectional or  
36 sexual orientation, disability, liability for service in the Armed  
37 Forces of the United States, familial status or nationality, in the  
38 granting, withholding, extending, modifying, renewing, or  
39 purchasing, or in the fixing of the rates, terms, conditions or  
40 provisions of any such loan, extension of credit or financial  
41 assistance or purchase thereof or in the extension of services in  
42 connection therewith;

43 (2) To use any form of application for such loan, extension of  
44 credit or financial assistance or to make record or inquiry in  
45 connection with applications for any such loan, extension of credit  
46 or financial assistance which expresses, directly or indirectly, any

1 limitation, specification or discrimination as to race, creed, color,  
2 national origin, ancestry, marital status, civil union status, domestic  
3 partnership status, pregnancy or breastfeeding, sex, gender identity  
4 or expression, affectional or sexual orientation, disability, liability  
5 for service in the Armed Forces of the United States, familial status  
6 or nationality or any intent to make any such limitation,  
7 specification or discrimination; unless otherwise required by law or  
8 regulation to retain or use such information;

9 (3) (Deleted by amendment, P.L.2003, c.180).

10 (4) To discriminate against any person or group of persons  
11 because of the source of any lawful income received by the person  
12 or the source of any lawful rent payment to be paid for the real  
13 property; or

14 (5) To discriminate against any person or group of persons  
15 because that person's family includes children under 18 years of  
16 age, or to make an agreement or mortgage which provides that the  
17 agreement or mortgage shall be rendered null and void upon the  
18 birth of a child. This paragraph shall not apply to housing for older  
19 persons as defined in subsection mm. of section 5 of P.L.1945,  
20 c.169 (C.10:5-5).

21 j. For any person whose activities are included within the  
22 scope of this act to refuse to post or display such notices concerning  
23 the rights or responsibilities of persons affected by this act as the  
24 Attorney General may by regulation require.

25 k. For any real estate broker, real estate salesperson or  
26 employee or agent thereof or any other individual, corporation,  
27 partnership, or organization, for the purpose of inducing a  
28 transaction for the sale or rental of real property from which  
29 transaction such person or any of its members may benefit  
30 financially, to represent that a change has occurred or will or may  
31 occur in the composition with respect to race, creed, color, national  
32 origin, ancestry, marital status, civil union status, domestic  
33 partnership status, familial status, pregnancy or breastfeeding, sex,  
34 gender identity or expression, affectional or sexual orientation,  
35 disability, liability for service in the Armed Forces of the United  
36 States, nationality, or source of lawful income used for rental or  
37 mortgage payments of the owners or occupants in the block,  
38 neighborhood or area in which the real property is located, and to  
39 represent, directly or indirectly, that this change will or may result  
40 in undesirable consequences in the block, neighborhood or area in  
41 which the real property is located, including, but not limited to the  
42 lowering of property values, an increase in criminal or anti-social  
43 behavior, or a decline in the quality of schools or other facilities.

44 l. For any person to refuse to buy from, sell to, lease from or  
45 to, license, contract with, or trade with, provide goods, services or  
46 information to, or otherwise do business with any other person on

1 the basis of the race, creed, color, national origin, ancestry, age,  
2 pregnancy or breastfeeding, sex, gender identity or expression,  
3 affectional or sexual orientation, marital status, civil union status,  
4 domestic partnership status, liability for service in the Armed  
5 Forces of the United States, disability, nationality, or source of  
6 lawful income used for rental or mortgage payments of such other  
7 person or of such other person's **【spouse】** family members,  
8 partners, members, stockholders, directors, officers, managers,  
9 superintendents, agents, employees, business associates, suppliers,  
10 or customers. This subsection shall not prohibit refusals or other  
11 actions (1) pertaining to employee-employer collective bargaining,  
12 labor disputes, or unfair labor practices, or (2) made or taken in  
13 connection with a protest of unlawful discrimination or unlawful  
14 employment practices.

15 m. For any person to:

16 (1) Grant or accept any letter of credit or other document which  
17 evidences the transfer of funds or credit, or enter into any contract  
18 for the exchange of goods or services, where the letter of credit,  
19 contract, or other document contains any provisions requiring any  
20 person to discriminate against or to certify that he, she or it has not  
21 dealt with any other person on the basis of the race, creed, color,  
22 national origin, ancestry, age, pregnancy or breastfeeding, sex,  
23 gender identity or expression, affectional or sexual orientation,  
24 marital status, civil union status, domestic partnership status,  
25 disability, liability for service in the Armed Forces of the United  
26 States, or nationality of such other person or of such other person's  
27 **【spouse】** family members, partners, members, stockholders,  
28 directors, officers, managers, superintendents, agents, employees,  
29 business associates, suppliers, or customers.

30 (2) Refuse to grant or accept any letter of credit or other  
31 document which evidences the transfer of funds or credit, or refuse  
32 to enter into any contract for the exchange of goods or services, on  
33 the ground that it does not contain such a discriminatory provision  
34 or certification.

35 The provisions of this subsection shall not apply to any letter of  
36 credit, contract, or other document which contains any provision  
37 pertaining to employee-employer collective bargaining, a labor  
38 dispute or an unfair labor practice, or made in connection with the  
39 protest of unlawful discrimination or an unlawful employment  
40 practice, if the other provisions of such letter of credit, contract, or  
41 other document do not otherwise violate the provisions of this  
42 subsection.

43 n. For any person to aid, abet, incite, compel, coerce, or induce  
44 the doing of any act forbidden by subsections l. and m. of section  
45 11 of P.L.1945, c.169 (C.10:5-12), or to attempt, or to conspire to  
46 do so. Such prohibited conduct shall include, but not be limited to:

- 1 (1) Buying from, selling to, leasing from or to, licensing,  
2 contracting with, trading with, providing goods, services, or  
3 information to, or otherwise doing business with any person  
4 because that person does, or agrees or attempts to do, any such act  
5 or any act prohibited by this subsection; or
- 6 (2) Boycotting, commercially blacklisting or refusing to buy  
7 from, sell to, lease from or to, license, contract with, provide goods,  
8 services or information to, or otherwise do business with any person  
9 because that person has not done or refuses to do any such act or  
10 any act prohibited by this subsection; provided that this subsection  
11 shall not prohibit refusals or other actions either pertaining to  
12 employee-employer collective bargaining, labor disputes, or unfair  
13 labor practices, or made or taken in connection with a protest of  
14 unlawful discrimination or unlawful employment practices.
- 15 o. For any multiple listing service, real estate brokers'  
16 organization or other service, organization or facility related to the  
17 business of selling or renting dwellings to deny any person access  
18 to or membership or participation in such organization, or to  
19 discriminate against such person in the terms or conditions of such  
20 access, membership, or participation, on account of race, creed,  
21 color, national origin, ancestry, age, marital status, civil union  
22 status, domestic partnership status, familial status, pregnancy or  
23 breastfeeding, sex, gender identity or expression, affectional or  
24 sexual orientation, disability, liability for service in the Armed  
25 Forces of the United States or nationality.
- 26 p. Nothing in the provisions of this section shall affect the  
27 ability of an employer to require employees to adhere to reasonable  
28 workplace appearance, grooming and dress standards not precluded  
29 by other provisions of State or federal law, except that an employer  
30 shall allow an employee to appear, groom and dress consistent with  
31 the employee's gender identity or expression.
- 32 q. (1) For any employer to impose upon a person as a  
33 condition of obtaining or retaining employment, including  
34 opportunities for promotion, advancement or transfers, any terms or  
35 conditions that would require a person to violate or forego a  
36 sincerely held religious practice or religious observance, including  
37 but not limited to the observance of any particular day or days or  
38 any portion thereof as a Sabbath or other holy day in accordance  
39 with the requirements of the religion or religious belief, unless,  
40 after engaging in a bona fide effort, the employer demonstrates that  
41 it is unable to reasonably accommodate the employee's religious  
42 observance or practice without undue hardship on the conduct of the  
43 employer's business. Notwithstanding any other provision of law to  
44 the contrary, an employee shall not be entitled to premium wages or  
45 premium benefits for work performed during hours to which those  
46 premium wages or premium benefits would ordinarily be

1 applicable, if the employee is working during those hours only as an  
2 accommodation to his religious requirements. Nothing in this  
3 subsection q. shall be construed as reducing:

4 (a) The number of the hours worked by the employee which are  
5 counted towards the accruing of seniority, pension or other benefits;  
6 or

7 (b) Any premium wages or benefits provided to an employee  
8 pursuant to a collective bargaining agreement.

9 (2) For an employer to refuse to permit an employee to utilize  
10 leave, as provided for in this subsection q., which is solely used to  
11 accommodate the employee's sincerely held religious observance or  
12 practice. Except where it would cause an employer to incur an  
13 undue hardship, no person shall be required to remain at his place  
14 of employment during any day or days or portion thereof that, as a  
15 requirement of his religion, he observes as his Sabbath or other holy  
16 day, including a reasonable time prior and subsequent thereto for  
17 travel between his place of employment and his home; provided that  
18 any such absence from work shall, wherever practicable in the  
19 reasonable judgment of the employer, be made up by an equivalent  
20 amount of time and work at some other mutually convenient time,  
21 or shall be charged against any leave with pay ordinarily granted,  
22 other than sick leave, and any such absence not so made up or  
23 charged, may be treated by the employer of that person as leave  
24 taken without pay.

25 (3) (a) For purposes of this subsection q., "undue hardship"  
26 means an accommodation requiring unreasonable expense or  
27 difficulty, unreasonable interference with the safe or efficient  
28 operation of the workplace or a violation of a bona fide seniority  
29 system or a violation of any provision of a bona fide collective  
30 bargaining agreement.

31 (b) In determining whether the accommodation constitutes an  
32 undue hardship, the factors considered shall include:

33 (i) The identifiable cost of the accommodation, including the  
34 costs of loss of productivity and of retaining or hiring employees or  
35 transferring employees from one facility to another, in relation to  
36 the size and operating cost of the employer.

37 (ii) The number of individuals who will need the particular  
38 accommodation for a sincerely held religious observance or  
39 practice.

40 (iii) For an employer with multiple facilities, the degree to  
41 which the geographic separateness or administrative or fiscal  
42 relationship of the facilities will make the accommodation more  
43 difficult or expensive.

44 (c) An accommodation shall be considered to constitute an  
45 undue hardship if it will result in the inability of an employee to

1 perform the essential functions of the position in which he or she is  
2 employed.

3 (d) (i) The provisions of this subsection q. shall be applicable  
4 only to reasonable accommodations of religious observances and  
5 shall not supersede any definition of undue hardship or standards  
6 for reasonable accommodation of the disabilities of employees.

7 (ii) This subsection q. shall not apply where the uniform  
8 application of terms and conditions of attendance to employees is  
9 essential to prevent undue hardship to the employer. The burden of  
10 proof regarding the applicability of this subparagraph (d) shall be  
11 upon the employer.

12 r. For any employer to take reprisals against any employee for  
13 requesting from , discussing with, or disclosing to, any other  
14 employee or former employee of the employer, a lawyer from  
15 whom the employee seeks legal advice, or any government agency  
16 information regarding the job title, occupational category, and rate  
17 of compensation, including benefits, of the employee or any other  
18 employee or former employee of the employer, or the gender, race,  
19 ethnicity, military status, or national origin of the employee or any  
20 other employee or former employee of the employer, regardless of  
21 whether the request was responded to , or to require, as a condition  
22 of employment, any employee or prospective employee to sign a  
23 waiver, or to otherwise require an employee or prospective  
24 employee to agree, not to make those requests or disclosures.  
25 Nothing in this subsection shall be construed to require an  
26 employee to disclose such information about the employee herself  
27 to any other employee or former employee of the employer or to  
28 any authorized representative of the other employee or former  
29 employee.

30 s. For an employer to treat, for employment-related purposes, a  
31 woman employee that the employer knows, or should know, is  
32 affected by pregnancy or breastfeeding in a manner less favorable  
33 than the treatment of other persons not affected by pregnancy or  
34 breastfeeding but similar in their ability or inability to work. In  
35 addition, an employer of an employee who is a woman affected by  
36 pregnancy shall make available to the employee reasonable  
37 accommodation in the workplace, such as bathroom breaks, breaks  
38 for increased water intake, periodic rest, assistance with manual  
39 labor, job restructuring or modified work schedules, and temporary  
40 transfers to less strenuous or hazardous work, for needs related to  
41 the pregnancy when the employee, based on the advice of her  
42 physician, requests the accommodation, and, in the case of a  
43 employee breast feeding her infant child, the accommodation shall  
44 include reasonable break time each day to the employee and a  
45 suitable room or other location with privacy, other than a toilet stall,  
46 in close proximity to the work area for the employee to express

1 breast milk for the child, unless the employer can demonstrate that  
2 providing the accommodation would be an undue hardship on the  
3 business operations of the employer. The employer shall not in any  
4 way penalize the employee in terms, conditions or privileges of  
5 employment for requesting or using the accommodation. Workplace  
6 accommodation provided pursuant to this subsection and paid or  
7 unpaid leave provided to an employee affected by pregnancy or  
8 breastfeeding shall not be provided in a manner less favorable than  
9 accommodations or leave provided to other employees not affected  
10 by pregnancy or breastfeeding but similar in their ability or inability  
11 to work. This subsection shall not be construed as otherwise  
12 increasing or decreasing any employee's rights under law to paid or  
13 unpaid leave in connection with pregnancy or breastfeeding.

14 For the purposes of this section "pregnancy or breastfeeding"  
15 means pregnancy, childbirth, and breast feeding or expressing milk  
16 for breastfeeding, or medical conditions related to pregnancy,  
17 childbirth, or breastfeeding, including recovery from childbirth.

18 For the purposes of this subsection, in determining whether an  
19 accommodation would impose undue hardship on the operation of  
20 an employer's business, the factors to be considered include: the  
21 overall size of the employer's business with respect to the number  
22 of employees, number and type of facilities, and size of budget; the  
23 type of the employer's operations, including the composition and  
24 structure of the employer's workforce; the nature and cost of the  
25 accommodation needed, taking into consideration the availability of  
26 tax credits, tax deductions, and outside funding; and the extent to  
27 which the accommodation would involve waiver of an essential  
28 requirement of a job as opposed to a tangential or non-business  
29 necessity requirement.

30 t. For an employer to pay any of its employees who is a  
31 member of a protected class at a rate of compensation, including  
32 benefits, which is less than the rate paid by the employer to  
33 employees who are not members of the protected class for  
34 substantially similar work, when viewed as a composite of skill,  
35 effort and responsibility. An employer who is paying a rate of  
36 compensation in violation of this subsection shall not reduce the  
37 rate of compensation of any employee in order to comply with this  
38 subsection. An employer may pay a different rate of compensation  
39 only if the employer demonstrates that the differential is made  
40 pursuant to a seniority system, a merit system, or the employer  
41 demonstrates:

42 (1) That the differential is based on one or more legitimate, bona  
43 fide factors other than the characteristics of members of the  
44 protected class, such as training, education or experience, or the  
45 quantity or quality of production;



1 (2) That the factor or factors are not based on, and do not  
2 perpetuate, a differential in compensation based on sex or any other  
3 characteristic of members of a protected class;

4 (3) That each of the factors is applied reasonably;

5 (4) That one or more of the factors account for the entire wage  
6 differential; and

7 (5) That the factors are job-related with respect to the position  
8 in question and based on a legitimate business necessity. A factor  
9 based on business necessity shall not apply if it is demonstrated that  
10 there are alternative business practices that would serve the same  
11 business purpose without producing the wage differential.

12 Comparisons of wage rates shall be based on wage rates in all of  
13 an employer's operations or facilities. For the purposes of this  
14 subsection, "member of a protected class" means an employee who  
15 has one or more characteristics, including race, creed, color,  
16 national origin, nationality, ancestry, age, marital status, civil union  
17 status, domestic partnership status, affectional or sexual orientation,  
18 genetic information, pregnancy, sex, gender identity or expression,  
19 disability or atypical hereditary cellular or blood trait of any  
20 individual, or liability for service in the armed forces, for which  
21 subsection a. of this section prohibits an employer from refusing to  
22 hire or employ or barring or discharging or requiring to retire from  
23 employment or discriminating against the individual in  
24 compensation or in terms, conditions or privileges of employment.

25 (cf: P.L.2018, c.9, s.2)

26

27 4. Section 12 of P.L.1992, c.146 (C.10:5-12.5) is amended to  
28 read as follows:

29 12. a. It shall be an unlawful discrimination for a municipality,  
30 county, or other local civil or political subdivision of the State of  
31 New Jersey, or an officer, employee, or agent thereof, to exercise  
32 the power to regulate land use or housing in a manner that  
33 discriminates on the basis of race, creed, color, national origin,  
34 ancestry, marital status, familial status, sex, gender identity or  
35 expression, liability for service in the Armed Forces of the United  
36 States, nationality, or disability.

37 b. **【Notwithstanding the provisions of section 12 of P.L.1945,**  
38 **c.169 (C.10:5-13) any person claiming to be aggrieved by an**  
39 **unlawful discrimination under this section shall enforce】** The  
40 provisions of subsection a. of this section may only be enforced by  
41 【private right of】 initiating an action in Superior Court pursuant to  
42 paragraph (2) of subsection a. of section 12 of P.L.1945, c.169  
43 (C.10:5-13). **【This section】** The restrictions of this subsection shall  
44 not apply to claims alleging discrimination in housing owned or  
45 managed by a municipality, county or other local civil or political

1 subdivision of the State of New Jersey where such discrimination is  
2 otherwise prohibited by section 11 of P.L.1945, c.169 (C.10:5-12).  
3 (cf: P.L.2017, c.184, s.4)

4  
5 5. Section 12 of P.L.1945, c.169 (C.10:5-13) is amended to  
6 read as follows:

7 12. a. (1) Any person claiming to be aggrieved by an unlawful  
8 employment practice or an unlawful discrimination may, personally  
9 or by an attorney-at-law, make, sign, and file with the division a  
10 verified complaint in writing which shall state the name and address  
11 of the person, employer, labor organization, employment agency,  
12 owner, lessee, proprietor, manager, superintendent, or agent alleged  
13 to have committed the unlawful employment practice or unlawful  
14 discrimination complained of and which shall set forth the  
15 particulars thereof and shall contain such other information as may  
16 be required by the division. Upon receipt of the complaint, the  
17 division shall notify the complainant on a form promulgated by the  
18 director of the division and approved by the Attorney General of the  
19 complainant's rights under **【this act】** P.L.1945, c.169 (C.10:5-1 et  
20 seq.), including the right to file a complaint in the Superior Court to  
21 be heard before a jury; of the jurisdictional limitations of the  
22 division; and any other provisions of **【this act】** P.L.1945, c.169  
23 (C.10:5-1 et seq.), without interpretation, that may apply to the  
24 complaint. The Commissioner of Labor and Workforce  
25 Development, the Attorney General, the director, or the  
26 Commissioner of Education may, in like manner, make, sign, and  
27 file such complaint. Any employer whose employees, or some of  
28 them, refuse, or threaten to refuse to **【co-operate】** cooperate with  
29 the provisions of **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.), may  
30 file with the division a verified complaint asking for assistance by  
31 conciliation or other remedial action.

32 (2) Any complainant, including any person claiming to be  
33 aggrieved by an unlawful employment practice or an unlawful  
34 discrimination, the Attorney General, the director, the  
35 Commissioner of Labor and Workforce Development, or the  
36 Commissioner of Education, may initiate suit in Superior Court  
37 under **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.) without first  
38 filing a complaint with the division or any municipal office. In such  
39 proceedings:

40 (a) Upon the application of any party, a jury trial shall be  
41 directed to try the validity of any claim under **【this act】** P.L.1945,  
42 c.169 (C.10:5-1 et seq.) specified in the suit.

43 (b) All remedies available in common law tort actions shall be  
44 available to prevailing plaintiffs, and if the Attorney General or the  
45 director is a prevailing plaintiff, those remedies shall be available  
46 on behalf of named or unnamed victims. If the suit seeks relief for

1 one or more unnamed members of a protected class, the Attorney  
2 General or the director shall have the discretion to settle the suit on  
3 such terms as the Attorney General or the director deems  
4 appropriate. The injunctive relief set forth in section 16 of  
5 P.L.1945, c.169 (C.10:5-17) shall also be available to prevailing  
6 plaintiffs. These remedies are in addition to any other provided by  
7 **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.) or any other statute.

8 (c) In addition to the remedies set forth in subparagraph (b) of  
9 this paragraph, the Attorney General or director may seek and  
10 obtain from the Superior Court penalties pursuant to section 2 of  
11 P.L.1983, c.412 (C.10:5-14.1a). In the alternative, in lieu of these  
12 penalties, the Attorney General or director may seek and obtain  
13 punitive damages payable to the State upon a finding that the  
14 provisions of P.L.1995, c.142 (C.2A:15-5.9 et al.) are satisfied.

15 Prosecution of such suit in Superior Court under **【this act】**  
16 P.L.1945, c.169 (C.10:5-1 et seq.) shall bar the filing of a complaint  
17 with the division or any municipal office during the pendency of  
18 any such suit.

19 (d) If a jury or court determines that an employer **【is guilty of】**  
20 has committed an unlawful employment practice prohibited by  
21 subsection r. or t. of section 11 of P.L.1945, c.169 (C.10:5-12), the  
22 judge shall award three times any monetary damages to the person  
23 or persons aggrieved by the violation.

24 (e) Notwithstanding the provisions of section 6 of P.L.1979,  
25 c.404 (C.10:5-27.1), if the Attorney General or the director is a  
26 prevailing plaintiff, the court shall award reasonable attorney's fees  
27 and litigation and investigation costs.

28 b. At any time after 180 days from the filing of a complaint  
29 with the division, a complainant may file a request with the division  
30 to present the action personally or through counsel to the Office of  
31 Administrative Law. Upon such request, the director of the division  
32 shall file the action with the Office of Administrative Law,  
33 provided that no action may be filed with the Office of  
34 Administrative Law where the director of the division has found  
35 that no probable cause exists to credit the allegations of the  
36 complaint or has otherwise dismissed the complaint.

37 c. A party to an action based upon a violation of **【this act】**  
38 P.L.1945, c.169 (C.10:5-1 et seq.) shall mail a copy of the initial  
39 pleadings or claims, amended pleadings or claims, counterclaims,  
40 briefs, and legal memoranda to the division at the same time as  
41 filing such documents with the Office of Administrative Law or the  
42 court. Upon application to the Office of Administrative Law or to  
43 the court wherein the matter is pending, the division shall be  
44 permitted to intervene.

45 (cf: P.L.2018, c.9, s.3)

1       6. Section 6 of P.L.1966, c.17 (C.10:5-14.1) is amended to read  
2 as follows:

3       6. At any time after the filing of any complaint, or whenever it  
4 shall appear to the Attorney General or the director that a person  
5 has engaged in, is engaging in, or is about to engage in any practice  
6 declared to be unlawful by this act, the Attorney General or the  
7 director may proceed against any person in a summary manner in  
8 the Superior Court of New Jersey to obtain an injunction  
9 prohibiting such person from continuing such practices or engaging  
10 therein or doing any acts in furtherance thereof, to compel  
11 compliance with any of the provisions of this act, or to prevent  
12 violations or attempts to violate any such provisions, or attempts to  
13 interfere with or impede the enforcement of any such provisions or  
14 the exercise or performance of any power or duty thereunder.

15 (cf: P.L.1966, c.17, s.6)

16

17       7. Section 2 of P.L.1983, c.412 (C.10:5-14.1a) is amended to  
18 read as follows:

19       2. Any person who violates any of the provisions of the "Law  
20 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall,  
21 in addition to any other relief or affirmative action provided by law,  
22 be liable for the following penalties:

23       a. In an amount not exceeding \$10,000 if the respondent has  
24 not been adjudged to have committed any prior violation within the  
25 five-year period ending on the date of the filing of this charge;

26       b. In an amount not exceeding \$25,000 if the respondent has  
27 been adjudged to have committed one other violation within the  
28 five-year period ending on the date of the filing of this charge; and

29       c. In an amount not exceeding \$50,000 if the respondent has  
30 been adjudged to have committed two or more violations within the  
31 seven-year period ending on the date of the filing of this charge.

32       The penalties shall be determined by the director in such  
33 amounts as **[he]** the director deems proper under the circumstances  
34 and included in **[his]** an order following **[his]** a finding of an  
35 unlawful discrimination or an unlawful employment practice  
36 pursuant to section 16 of P.L.1945, c.169 (C.10:5-17) or determined  
37 by the court in cases brought under subsection b. of section 9 of  
38 P.L. , c. (C. ) (pending before the Legislature as this bill).

39 Any such amounts collected by the director shall be paid forthwith  
40 into the State Treasury for the general purposes of the State.

41 (cf: P.L.2001, c.254, s.1)

42

43       8. Section 15 of P.L.1945, c.169 (C.10:5-16) is amended to  
44 read as follows:

45       15. When the director has issued a finding of probable cause, the  
46 case in support of the complaint shall be filed in Superior Court or

1 presented before the director by the attorney for the division and  
2 evidence concerning attempted conciliation shall not be received.

3 **【The】** In an action presented before the director, the respondent  
4 shall file a written verified answer to the complaint and appear at  
5 such hearing in person or by representative, with or without  
6 counsel, and submit testimony. The complainant shall be allowed to  
7 intervene and present testimony in person and may be represented  
8 by counsel. The director or the complainant shall have the power  
9 reasonably and fairly to amend any complaint, and the respondent  
10 shall have like power to amend **【his】** its answer. **【The】** In such an  
11 action, the director shall not be bound by the strict rules of evidence  
12 prevailing in civil actions in courts of competent jurisdiction of this  
13 State. The testimony taken at the hearing shall be under oath and a  
14 verbatim record shall be made.

15 When the director has issued a finding of probable cause in a  
16 housing discrimination complaint only, any party to that complaint  
17 may elect, in lieu of the administrative proceeding **【set forth in】**  
18 authorized by this section, to have the claim asserted in the finding  
19 of probable cause adjudicated in a civil action in Superior Court  
20 pursuant to section 12 of P.L.1945, c.169 (C.10:5-13). Such an  
21 election shall be made not later than 20 days after receipt of the  
22 finding of probable cause. Upon such election, the attorney for the  
23 division shall promptly file such an action in Superior Court. Upon  
24 application to the court wherein the matter is pending, the  
25 complainant shall be permitted to intervene and present testimony  
26 in person and may be represented by counsel.

27 (cf: P.L.2003, c.180, s.15)

28

29 9. (New section) a. When it shall appear to the Attorney  
30 General or the director that a person has engaged in, is engaging in,  
31 or is about to engage in any practice declared to be unlawful by the  
32 Law Against Discrimination, P.L.1945, c.169 (C.10:5-1 et seq.) or  
33 the New Jersey Civil Rights Act, P.L.2004, c.143 (C.10:6-1 et seq.),  
34 or when the Attorney General or the director believes it to be in the  
35 public interest that an investigation should be made to ascertain  
36 whether a person in fact has engaged in, is engaging in, or is about  
37 to engage in, any such practice, the Attorney General or the director  
38 may conduct an investigation. The Attorney General or the director  
39 may utilize all investigative powers set forth in section 8 of  
40 P.L.1945, c.169 (C.10:5-8) in conducting such investigations.

41 b. The Attorney General or the director shall have the authority  
42 to bring enforcement actions for any violation of this act in the  
43 Office of Administrative Law or the Superior Court for the county  
44 in which the action occurred.

45 c. When the Attorney General or the director brings an action  
46 pursuant to this act in the Office of Administrative Law or in

1 Superior Court that seeks relief for an individual who claims to be a  
2 victim of unlawful discrimination, communications between  
3 members of the Attorney General’s office and that individual shall  
4 be privileged as would be a communication between an attorney  
5 and a client.

6

7 10. This act shall take effect immediately.

8

9

10

11

12 Reaffirms and clarifies that Attorney General and Division on  
13 Civil Rights may initiate actions in Superior Court to enforce “Law  
14 Against Discrimination.”

**SENATE, No. 3878**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED MAY 30, 2019

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**SYNOPSIS**

Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce “Law Against Discrimination.”

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the enforcement of the “Law Against  
2 Discrimination,” and amending P.L.1992, c.146, P.L.1945,  
3 c.169, and P.L.1983, c.412.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 12 of P.L.1992, c.146 (C.10:5-12.5) is amended to  
9 read as follows:

10 12. a. It shall be an unlawful discrimination for a municipality,  
11 county, or other local civil or political subdivision of the State of  
12 New Jersey, or an officer, employee, or agent thereof, to exercise  
13 the power to regulate land use or housing in a manner that  
14 discriminates on the basis of race, creed, color, national origin,  
15 ancestry, marital status, familial status, sex, gender identity or  
16 expression, liability for service in the Armed Forces of the United  
17 States, nationality, or disability.

18 b. **【Notwithstanding the provisions of section 12 of P.L.1945,**  
19 **c.169 (C.10:5-13) any person claiming to be aggrieved by an**  
20 **unlawful discrimination under this section shall enforce】** The  
21 provisions of subsection a. of this section shall be enforced by  
22 【private right of】 an action in Superior Court pursuant to paragraph  
23 (2) of subsection a. of section 12 of P.L.1945, c.169 (C.10:5-13).  
24 This **【section】** subsection shall not apply to discrimination in  
25 housing owned or managed by a municipality, county, or other local  
26 civil or political subdivision of the State of New Jersey where such  
27 discrimination is otherwise prohibited by section 11 of P.L.1945,  
28 c.169 (C.10:5-12).  
29 (cf: P.L.2017, c.184, s.4)

30  
31 2. Section 12 of P.L.1945, c.169 (C.10:5-13) is amended to  
32 read as follows:

33 12. a. (1) Any person claiming to be aggrieved by an unlawful  
34 employment practice or an unlawful discrimination may, personally  
35 or by an attorney-at-law, make, sign, and file with the division a  
36 verified complaint in writing which shall state the name and address  
37 of the person, employer, labor organization, employment agency,  
38 owner, lessee, proprietor, manager, superintendent, or agent alleged  
39 to have committed the unlawful employment practice or unlawful  
40 discrimination complained of and which shall set forth the  
41 particulars thereof and shall contain such other information as may  
42 be required by the division. Upon receipt of the complaint, the  
43 division shall notify the complainant on a form promulgated by the  
44 director of the division and approved by the Attorney General of the

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**



1 complainant's rights under **【this act】** P.L.1945, c.169 (C.10:5-1 et  
2 seq.), including the right to file a complaint in the Superior Court to  
3 be heard before a jury; of the jurisdictional limitations of the  
4 division; and any other provisions of **【this act】** P.L.1945, c.169  
5 (C.10:5-1 et seq.), without interpretation, that may apply to the  
6 complaint. The Commissioner of Labor and Workforce  
7 Development, the Attorney General, or the Commissioner of  
8 Education may, in like manner, make, sign, and file such complaint.  
9 Any employer whose employees, or some of them, refuse, or  
10 threaten to refuse to **【co-operate】** cooperate with the provisions of  
11 **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.), may file with the  
12 division a verified complaint asking for assistance by conciliation  
13 or other remedial action.

14 (2) (a) Any complainant, the Attorney General, or the director  
15 may initiate suit in Superior Court under **【this act】** P.L.1945, c.169  
16 (C.10:5-1 et seq.) without first filing a complaint with the division  
17 or any municipal office.

18 (b) Upon the application of any party, a jury trial shall be  
19 directed to try the validity of any claim under **【this act】** P.L.1945,  
20 c.169 (C.10:5-1 et seq.) specified in the suit.

21 (c) All remedies available in common law tort actions shall be  
22 available to prevailing plaintiffs, and if the Attorney General or the  
23 director is a prevailing plaintiff, those remedies shall be available  
24 on behalf of named or unnamed victims. The injunctive relief set  
25 forth in section 16 of P.L.1945, c.169 (C.10:5-17) shall also be  
26 available to prevailing plaintiffs. These remedies are in addition to  
27 any other provided by **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.)  
28 or any other statute.

29 (d) In addition to the remedies set forth in subparagraph (c) of  
30 this paragraph, the Attorney General or director may seek and  
31 obtain from the Superior Court penalties pursuant to section 2 of  
32 P.L.1983, c.412 (C.10:5-14.1a). In the alternative, in lieu of these  
33 penalties, the Attorney General or director may seek and obtain  
34 punitive damages payable to the State upon a finding of an unlawful  
35 discrimination or an unlawful employment practice and that the  
36 provisions of P.L.1995, c.142 (C.2A:15-5.9 et al.) are satisfied.

37 (e) Prosecution of such suit in Superior Court under **【this act】**  
38 P.L.1945, c.169 (C.10:5-1 et seq.) shall bar the filing of a complaint  
39 with the division or any municipal office during the pendency of  
40 any such suit.

41 (f) If a jury determines that an employer is guilty of an unlawful  
42 employment practice prohibited by subsection r. or t. of section 11  
43 of P.L.1945, c.169 (C.10:5-12), the judge shall award three times  
44 any monetary damages to the person or persons aggrieved by the  
45 violation.

46 (g) Notwithstanding the provisions of section 6 of P.L.1979,  
47 c.404 (C.10:5-27.1), if the Attorney General or the director is a

1 prevailing plaintiff, the court shall award reasonable attorney's fees  
2 and litigation and investigation costs.

3 b. At any time after 180 days from the filing of a complaint  
4 with the division, a complainant may file a request with the division  
5 to present the action personally or through counsel to the Office of  
6 Administrative Law. Upon such request, the director of the division  
7 shall file the action with the Office of Administrative Law,  
8 provided that no action may be filed with the Office of  
9 Administrative Law where the director of the division has found  
10 that no probable cause exists to credit the allegations of the  
11 complaint or has otherwise dismissed the complaint.

12 c. A party to an action based upon a violation of **【this act】**  
13 P.L.1945, c.169 (C.10:5-1 et seq.) shall mail a copy of the initial  
14 pleadings or claims, amended pleadings or claims, counterclaims,  
15 briefs, and legal memoranda to the division at the same time as  
16 filing such documents with the Office of Administrative Law or the  
17 court. Upon application to the Office of Administrative Law or to  
18 the court wherein the matter is pending, the division shall be  
19 permitted to intervene.

20 (cf: P.L.2018, c.9, s.3)

21

22 3. Section 2 of P.L.1983, c.412 (C.10:5-14.1a) is amended to  
23 read as follows:

24 2. Any person who violates any of the provisions of the "Law  
25 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall,  
26 in addition to any other relief or affirmative action provided by law,  
27 be liable for the following penalties:

28 a. In an amount not exceeding \$10,000 if the respondent has  
29 not been adjudged to have committed any prior violation within the  
30 five-year period ending on the date of the filing of this charge;

31 b. In an amount not exceeding \$25,000 if the respondent has  
32 been adjudged to have committed one other violation within the  
33 five-year period ending on the date of the filing of this charge; and

34 c. In an amount not exceeding \$50,000 if the respondent has  
35 been adjudged to have committed two or more violations within the  
36 seven-year period ending on the date of the filing of this charge.

37 The penalties shall be determined by the director or the Superior  
38 Court, as applicable, in such amounts as **【he】** the director or court  
39 deems proper under the circumstances and included in 【his】 an  
40 order following 【his】 a finding of an unlawful discrimination or an  
41 unlawful employment practice pursuant to section 16 of P.L.1945,  
42 c.169 (C.10:5-17). Any such amounts collected by the director or  
43 awarded by a court shall be paid forthwith into the State Treasury  
44 for the general purposes of the State.

45 (cf: P.L.2001, c.254, s.1)

46

47 4. This act shall take effect immediately.

STATEMENT

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This bill would reaffirm and clarify that the Attorney General and the Director of the Division on Civil Rights (director) may initiate actions in the Superior Court to enforce the provisions of the “Law Against Discrimination” (LAD). The bill would enhance the ability of the Attorney General and the director to take proactive steps to enforce and protect the civil rights of the State’s residents.

The bill also clarifies that the prevailing plaintiffs in a Superior Court action under the LAD may seek and obtain the same injunctive relief that the director may award in an administrative proceeding under that law. Additionally, the bill clarifies that in such a Superior Court action, the Attorney General or director may seek and obtain certain penalties authorized under the LAD. In the alternative, in lieu of these penalties, the bill provides that the Attorney General or director may seek and obtain punitive damages.

The bill also makes the award of attorney’s fees, litigation costs, and investigation costs mandatory in Superior Court actions under the LAD if the Attorney General or the director is the prevailing plaintiff. Under current law, any prevailing party in a LAD action may be awarded, but is not ensured, a reasonable attorney’s fee.

The bill also revises the provision of the LAD authorizing Superior Court actions against local governments for discriminatory land use or housing regulations to reflect the possibility that those actions may be brought by the Attorney General or the director. Lastly, the bill revises the provision of the LAD authorizing the award of certain penalties to reflect the possibility that those penalties may be awarded by the Superior Court.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 3878

# STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Senate Judiciary Committee reports favorably a Senate Committee Substitute for Senate Bill No. 3878.

This substitute would expand the scope of the “Law Against Discrimination” (LAD), P.L.1945, c.169 (C.10:5-1 et seq.), to incorporate protection against discriminatory acts against a person based upon the traits of that person’s family members, provide for State-initiated administrative investigations and State-initiated actions in Superior Court concerning discriminatory practices, as well as expand the remedies against and penalties for violations of the LAD.

Concerning discrimination on the basis of a person’s family members, the bill would bar discrimination against a person by reason of a family member’s race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, liability for service in the Armed Forces, disability, or nationality. “Family member” is defined as “a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, partner in a civil union couple, domestic partner, or any other individual related by blood to the person, and any other individual that the person shows to have a close association with the person which is the equivalent of a family relationship.” This expands the scope of the LAD, which currently bars discrimination only concerning the traits of a person’s spouse.

The bill would permit the Attorney General or Director of the Division on Civil Rights to initiate an investigation when it appears to either that a person has engaged in, is engaging in, or is about to engage in any practice declared to be unlawful by the LAD or the “New Jersey Civil Rights Act,” P.L.2004, c.143 (C.10:6-1 et seq.). An investigation could also be initiated when either believes it to be in the public interest to ascertain whether a person in fact has engaged in, is engaging in, or is about to engage in, any discriminatory practice. The investigatory powers set forth in section 8 of P.L.1945, c.169 (C.10:5-8), including the power to subpoena witnesses and records, could be used to conduct any investigation.

Also, whenever it appears to the Attorney General or the director that a person has engaged in, is engaging in, or is about to engage in any practice declared to be unlawful by the LAD, either may proceed

against the person in a summary manner in the Superior Court to obtain an injunction prohibiting the continuation of such practice.

In addition to initiating investigations or obtaining injunctions, the Attorney General and the director, as well as the Commissioner of Labor and Workforce Development and Commissioner of Education could initiate lawsuits in Superior Court to address discriminatory practices. Currently, these State officers are permitted to initiate the filing of a complaint with the Division on Civil Rights for review and action.

Among the State-initiated lawsuits that could be filed in Superior Court would be those alleging unlawful discrimination by a municipality, county, or other local civil or political subdivision, or officer, employee, or agent thereof, through promulgation, application, or enforcement of their land use or housing regulations. At present, the LAD only provides for private causes of action by an aggrieved person for such discrimination. See P.L.1992, c.146, s.12 (C.10:5-12.5).

In addition, the bill would permit the Attorney General or the director to initiate an enforcement action in the Office of Administrative Law, other than for the aforementioned land use or housing regulation discrimination, which is limited to action in the Superior Court.

Regarding actions filed in Superior Court, if the Attorney General or director is a prevailing plaintiff, all common law tort remedies would be available on behalf of any named and unnamed victims of discrimination, and each is also provided with the authority to settle suits on behalf of such victims on terms they deem appropriate. Additionally, each may seek and obtain through the Superior Court the monetary penalties currently assessed by the director in an administrative proceeding pursuant to section 2 of P.L.1983, c.412 (C.10:5-14.1a), or, in lieu of such penalties, punitive damages payable to the State pursuant to the "Punitive Damages Act," P.L.1992, c.142 (C.2A:15-5.9 et al.).

The bill also makes the award of attorney's fees, litigation costs, and investigation costs mandatory in Superior Court actions if the Attorney General or the director is the prevailing plaintiff. For other prevailing parties, an award of attorney's fees remains optional. See P.L.1979, c.404, s.6 (C.10:5-27.1).

Finally, any prevailing plaintiff in a Superior Court action may seek and obtain the same form or forms of injunctive relief that the director may award, pursuant to section 16 of P.L.1945, c.169 (C.10:5-17), after making a finding in an administrative proceeding that a party engaged in unlawful discrimination.

# ASSEMBLY, No. 5394

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 20, 2019

**Sponsored by:**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**SYNOPSIS**

Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce “Law Against Discrimination.”

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 12/10/2019)

A5394 MORIARTY, MCKNIGHT

2

1 AN ACT concerning the enforcement of the “Law Against  
2 Discrimination,” and amending P.L.1992, c.146, P.L.1945,  
3 c.169, and P.L.1983, c.412.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 12 of P.L.1992, c.146 (C.10:5-12.5) is amended to  
9 read as follows:

10 12. a. It shall be an unlawful discrimination for a municipality,  
11 county, or other local civil or political subdivision of the State of  
12 New Jersey, or an officer, employee, or agent thereof, to exercise  
13 the power to regulate land use or housing in a manner that  
14 discriminates on the basis of race, creed, color, national origin,  
15 ancestry, marital status, familial status, sex, gender identity or  
16 expression, liability for service in the Armed Forces of the United  
17 States, nationality, or disability.

18 b. **【Notwithstanding the provisions of section 12 of P.L.1945,**  
19 **c.169 (C.10:5-13) any person claiming to be aggrieved by an**  
20 **unlawful discrimination under this section shall enforce】** The  
21 provisions of subsection a. of this section shall be enforced by  
22 **【private right of】** an action in Superior Court pursuant to paragraph  
23 (2) of subsection a. of section 12 of P.L.1945, c.169 (C.10:5-13).  
24 This **【section】** subsection shall not apply to discrimination in  
25 housing owned or managed by a municipality, county, or other local  
26 civil or political subdivision of the State of New Jersey where such  
27 discrimination is otherwise prohibited by section 11 of P.L.1945,  
28 c.169 (C.10:5-12).  
29 (cf: P.L.2017, c.184, s.4)

30  
31 2. Section 12 of P.L.1945, c.169 (C.10:5-13) is amended to  
32 read as follows:

33 12. a. (1) Any person claiming to be aggrieved by an unlawful  
34 employment practice or an unlawful discrimination may, personally  
35 or by an attorney-at-law, make, sign, and file with the division a  
36 verified complaint in writing which shall state the name and address  
37 of the person, employer, labor organization, employment agency,  
38 owner, lessee, proprietor, manager, superintendent, or agent alleged  
39 to have committed the unlawful employment practice or unlawful  
40 discrimination complained of and which shall set forth the  
41 particulars thereof and shall contain such other information as may  
42 be required by the division. Upon receipt of the complaint, the  
43 division shall notify the complainant on a form promulgated by the  
44 director of the division and approved by the Attorney General of the  
45 complainant's rights under **【this act】** P.L.1945, c.169 (C.10:5-1 et

**EXPLANATION – Matter enclosed in bold-faced brackets 【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 seq.), including the right to file a complaint in the Superior Court to  
2 be heard before a jury; of the jurisdictional limitations of the  
3 division; and any other provisions of **【this act】** P.L.1945, c.169  
4 (C.10:5-1 et seq.), without interpretation, that may apply to the  
5 complaint. The Commissioner of Labor and Workforce  
6 Development, the Attorney General, or the Commissioner of  
7 Education may, in like manner, make, sign, and file such complaint.  
8 Any employer whose employees, or some of them, refuse, or  
9 threaten to refuse to **【co-operate】** cooperate with the provisions of  
10 **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.), may file with the  
11 division a verified complaint asking for assistance by conciliation  
12 or other remedial action.

13 (2) (a) Any complainant, the Attorney General, or the director  
14 may initiate suit in Superior Court under **【this act】** P.L.1945, c.169  
15 (C.10:5-1 et seq.) without first filing a complaint with the division  
16 or any municipal office.

17 (b) Upon the application of any party, a jury trial shall be  
18 directed to try the validity of any claim under **【this act】** P.L.1945,  
19 c.169 (C.10:5-1 et seq.) specified in the suit.

20 (c) All remedies available in common law tort actions shall be  
21 available to prevailing plaintiffs, and if the Attorney General or the  
22 director is a prevailing plaintiff, those remedies shall be available  
23 on behalf of named or unnamed victims. The injunctive relief set  
24 forth in section 16 of P.L.1945, c.169 (C.10:5-17) shall also be  
25 available to prevailing plaintiffs. These remedies are in addition to  
26 any other provided by **【this act】** P.L.1945, c.169 (C.10:5-1 et seq.)  
27 or any other statute.

28 (d) In addition to the remedies set forth in subparagraph (c) of  
29 this paragraph, the Attorney General or director may seek and  
30 obtain from the Superior Court penalties pursuant to section 2 of  
31 P.L.1983, c.412 (C.10:5-14.1a). In the alternative, in lieu of these  
32 penalties, the Attorney General or director may seek and obtain  
33 punitive damages payable to the State upon a finding of an unlawful  
34 discrimination or an unlawful employment practice and that the  
35 provisions of P.L.1995, c.142 (C.2A:15-5.9 et al.) are satisfied.

36 (e) Prosecution of such suit in Superior Court under **【this act】**  
37 P.L.1945, c.169 (C.10:5-1 et seq.) shall bar the filing of a complaint  
38 with the division or any municipal office during the pendency of  
39 any such suit.

40 (f) If a jury determines that an employer is guilty of an unlawful  
41 employment practice prohibited by subsection r. or t. of section 11  
42 of P.L.1945, c.169 (C.10:5-12), the judge shall award three times  
43 any monetary damages to the person or persons aggrieved by the  
44 violation.

45 (g) Notwithstanding the provisions of section 6 of P.L.1979,  
46 c.404 (C.10:5-27.1), if the Attorney General or the director is a



1 prevailing plaintiff, the court shall award reasonable attorney's fees  
2 and litigation and investigation costs.

3 b. At any time after 180 days from the filing of a complaint  
4 with the division, a complainant may file a request with the division  
5 to present the action personally or through counsel to the Office of  
6 Administrative Law. Upon such request, the director of the division  
7 shall file the action with the Office of Administrative Law,  
8 provided that no action may be filed with the Office of  
9 Administrative Law where the director of the division has found  
10 that no probable cause exists to credit the allegations of the  
11 complaint or has otherwise dismissed the complaint.

12 c. A party to an action based upon a violation of **【this act】**  
13 P.L.1945, c.169 (C.10:5-1 et seq.) shall mail a copy of the initial  
14 pleadings or claims, amended pleadings or claims, counterclaims,  
15 briefs, and legal memoranda to the division at the same time as  
16 filing such documents with the Office of Administrative Law or the  
17 court. Upon application to the Office of Administrative Law or to  
18 the court wherein the matter is pending, the division shall be  
19 permitted to intervene.

20 (cf: P.L.2018, c.9, s.3)

21

22 3. Section 2 of P.L.1983, c.412 (C.10:5-14.1a) is amended to  
23 read as follows:

24 2. Any person who violates any of the provisions of the "Law  
25 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall,  
26 in addition to any other relief or affirmative action provided by law,  
27 be liable for the following penalties:

28 a. In an amount not exceeding \$10,000 if the respondent has  
29 not been adjudged to have committed any prior violation within the  
30 five-year period ending on the date of the filing of this charge;

31 b. In an amount not exceeding \$25,000 if the respondent has  
32 been adjudged to have committed one other violation within the  
33 five-year period ending on the date of the filing of this charge; and

34 c. In an amount not exceeding \$50,000 if the respondent has  
35 been adjudged to have committed two or more violations within the  
36 seven-year period ending on the date of the filing of this charge.

37 The penalties shall be determined by the director or the Superior  
38 Court, as applicable, in such amounts as **【he】** the director or court  
39 deems proper under the circumstances and included in 【his】 an  
40 order following 【his】 a finding of an unlawful discrimination or an  
41 unlawful employment practice pursuant to section 16 of P.L.1945,  
42 c.169 (C.10:5-17). Any such amounts collected by the director or  
43 awarded by a court shall be paid forthwith into the State Treasury  
44 for the general purposes of the State.

45 (cf: P.L.2001, c.254, s.1)

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47 4. This act shall take effect immediately.

STATEMENT

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This bill would reaffirm and clarify that the Attorney General and the Director of the Division on Civil Rights (director) may initiate actions in the Superior Court to enforce the provisions of the “Law Against Discrimination” (LAD). The bill would enhance the ability of the Attorney General and the director to take proactive steps to enforce and protect the civil rights of the State’s residents.

The bill also clarifies that the prevailing plaintiffs in a Superior Court action under the LAD may seek and obtain the same injunctive relief that the director may award in an administrative proceeding under that law. Additionally, the bill clarifies that in such a Superior Court action, the Attorney General or director may seek and obtain certain penalties authorized under the LAD. In the alternative, in lieu of these penalties, the bill provides that the Attorney General or director may seek and obtain punitive damages.

The bill also makes the award of attorney’s fees, litigation costs, and investigation costs mandatory in Superior Court actions under the LAD if the Attorney General or the director is the prevailing plaintiff. Under current law, any prevailing party in a LAD action may be awarded, but is not ensured, a reasonable attorney’s fee.

The bill also revises the provision of the LAD authorizing Superior Court actions against local governments for discriminatory land use or housing regulations to reflect the possibility that those actions may be brought by the Attorney General or the director. Lastly, the bill revises the provision of the LAD authorizing the award of certain penalties to reflect the possibility that those penalties may be awarded by the Superior Court.

ASSEMBLY STATE AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, No. 5394

**STATE OF NEW JERSEY**

DATED: DECEMBER 9, 2019

The Assembly State and Local Government Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 5394.

This committee substitute would reaffirm and clarify that the Attorney General and the Director of the Division on Civil Rights (director) may initiate actions in the Superior Court to enforce the provisions of the “Law Against Discrimination” (LAD). The substitute would enhance the ability of the Attorney General and the director to take proactive steps to enforce and protect the civil rights of the State’s residents.

The substitute also clarifies that the prevailing plaintiffs in a Superior Court action under the LAD may seek and obtain the same injunctive relief that the director may award in an administrative proceeding under that law. Additionally, the substitute clarifies that in such a Superior Court action, the Attorney General or director may seek and obtain certain penalties authorized under the LAD. In the alternative, in lieu of these penalties, the substitute provides that the Attorney General or director may seek and obtain punitive damages.

In addition, the substitute adds specific protections in the LAD barring discrimination against a person by reason of the race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, liability for service in the Armed Forces, disability or nationality of the person’s *family members*. Currently, the LAD provides these protections only concerning the person’s *spouse*. The substitute defines “family members” as “a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, partner in a civil union couple, domestic partner, or any other individual related by blood to the person, and any other individual that the person shows to have a close association with the person which is the equivalent of a family relationship.”

The substitute also clarifies that if the Attorney General or the director is a prevailing plaintiff, all remedies available in common law tort actions shall be available on behalf of named or unnamed victims. The substitute further provides that if the suit seeks relief for one or more unnamed members of a protected class, the Attorney General or

the director would have the discretion to settle the suit on such terms as the Attorney General or the director deems appropriate.

The substitute also makes the award of attorney's fees, litigation costs, and investigation costs mandatory in Superior Court actions under the LAD if the Attorney General or the director is the prevailing plaintiff. Under current law, any prevailing party in a LAD action may be awarded, but is not ensured, a reasonable attorney's fee.

In addition, the substitute provides that, at any time after the filing of any complaint, or whenever it shall appear to the Attorney General or the director that a person has engaged in, is engaging in, or is about to engage in any unlawful practice that violates the LAD, the Attorney General or the director may proceed against any person in a summary manner in the Superior Court to obtain an injunction prohibiting the continuation of such practices or acts.

The substitute also provides that the Attorney General or the director may conduct an investigation when it appears to the Attorney General or the director that a person has engaged in, is engaging in, or is about to engage in any practice declared to be unlawful by LAD or the New Jersey Civil Rights Act, P.L.2004, c.143 (C.10:6-1 et seq.), or when the Attorney General or the director believes it to be in the public interest that an investigation should be made to ascertain whether a person in fact has engaged in, is engaging in, or is about to engage in, any such practice. The Attorney General or the director would have the authority to bring enforcement actions for any violation of the LAD in the Office of Administrative Law or the Superior Court for the county in which the action occurred.

Under the substitute, when the Attorney General or the director brings an action in the Office of Administrative Law or in Superior Court that seeks relief for an individual who claims to be a victim of unlawful discrimination, communications between members of the Attorney General's office and that individual would be privileged as would be a communication between an attorney and a client.

The substitute also revises the provision of the LAD authorizing Superior Court actions against local governments for discriminatory land use or housing regulations to reflect the possibility that those actions may be brought by the Attorney General or the director. Lastly, the substitute revises the provision of the LAD authorizing the award of certain penalties to reflect the possibility that those penalties may be awarded by the Superior Court.

# Governor Murphy Takes Action on Legislation

01/21/2020

**TRENTON** – Today, Governor Phil Murphy signed the following bills into law:

**S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space)** – Requires certain contractors to register under "The Public Works Contractor Registration Act"

**S-358/A-4587 (Rice/Sumter, Reynolds-Jackson)** – Establishes database with certain information about individuals elected to public office in this State

**S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy)** – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

**S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle)** – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

**S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso)** – Makes various changes to "Criminal Injuries Compensation Act of 1971"

**S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle)** – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

**S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty)** – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

**S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey)** – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

**S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson)** – Authorizes use of certain electric school buses

**S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano)** – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

**S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson)** – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

**S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer)** – Increases workers' compensation for loss of hand or foot

**S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin)** – Prohibits resale of non-prescription diabetes test devices by pharmacists

**S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight)** – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

**S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera)** – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

## State correctional facilities

**S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake)** – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

**S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak)** – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

**S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey)** – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

**SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano)** – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

**S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson)** – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

**S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn)** – Designates Seeing Eye® dog as State Dog

**S-3036/A-1697 (Lagana, Scutari/Dancer, Downey)** – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

**S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson)** – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

**S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake)** – Establishes youth apprenticeship pilot program in Department of Education

**S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter)** – Establishes five year Apprentice Assistance and Support Services Pilot Program

**S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker)** – Requires certain medical facilities to undertake end-of-life planning and training

**S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz)** – Requires emergency departments to take certain measures concerning palliative care for patients

**S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti)** – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

**S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land)** – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

**S-3227/A-5261 (Gopal/Tully, Pinkin, Swain)** – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

**S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle)** – Prohibits sale or distribution of flavored vapor products

[Copy of Statement](#)

**S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy)** – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

**S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle)** – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

**S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttie)** – Establishes Task Force on Maximizing Employment for People with Disabilities

**S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttie, Downey)** – Authorizes certain health care and social service resources to be made available during Code Blue alert

**S-3581/A-5963 (Singleton/Lopez, Quijano)** – Prohibits certain business financing contracts that contain judgment by confession provisions

**S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight)** – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

**S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths)** – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

**S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space)** – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

**S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling)** – Prohibits local governments from imposing fines on alarm companies in certain circumstances

**S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon)** – Adds member from Retired Judges Association of New Jersey to State Investment Council

**SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin)** – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

**S-3920 wGR/A-5552 (Pou/Wimberly, Sumter)** – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

**S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy)** – Concerns labor harmony agreements for hospitality projects

**SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon)** – Establishes Recycling Market Development Council

**S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttie)** – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

**S-4025/A-5695 (Pou/Wimberly, Sumter)** – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

**S-4162/A-6014 (Smith, Greenstein/Vainieri Huttie, Pinkin, Houghtaling)** – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

**S-4165/A-4364 (Rice/Giblin, Caputo, Tucker)** – Expands University Hospital board of directors membership from 11 to 13 members

**S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt)** – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

**S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley)** – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

**S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey)** – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations



**S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese)** – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

**S-4275/A-6088 (Smith, Greenstein/Burzichelli)** – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

**S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land)** – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

**S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey)** – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

**S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy)** – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

**S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin)** – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

**S-4286/A-5890 (Vitale/Swain, Jones)** – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

**S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttie, Zwicker)** – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

**S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez)** – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

**S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli)** – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

**S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land)** – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

**S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain)** – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

**SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker)** – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

**SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter)** – Establishes the "New Jersey State Commission on Urban Violence"

**SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttie, Schepisi)** – Designates March 19th "Women in Public Office Day" in New Jersey

**SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce)** – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

**SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin)** – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

**A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz)** – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

**A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz)** – Requires DHS to study social isolation occurring in certain population groups

**A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado)** – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

**A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz)** – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

**A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz)** – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

**A-5432/S-3796 (Milam, Land/Andrzejczak)** – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

**A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado)** – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

**A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez)** – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

**A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo)** – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

**A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman)** – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

**A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado)** – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

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**A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari)** – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

**A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney)** – Concerns responsibility of contractors for wage claims against subcontractors

**A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown)** – Allows certain persons to qualify for casino key employee license and casino employee registration

**A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg)** – Authorizes DOH to notify elected officials of financial distress of certain hospitals

**A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale)** – Expands hospital reporting requirements

**A-5970/S-4201 (Lopez, Speight, Chaparro/Codey)** – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

**A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado)** – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

**A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton)** – Makes changes to New Jersey Infrastructure Bank's enabling act

**A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton)** – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

**A-6119/S-4336 (Egan, Houghtaling/Madden)** – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

**AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein)** – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

**AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado)** – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

**AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden)** – Designates April of each year as "Financial Literacy Month" in New Jersey

**AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado)** – Designates February in each year as "Career and Technical Education Month" in New Jersey

**Governor Murphy declined to sign the following bills, meaning they expire without becoming law:**

**S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly)** – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

**S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer)** – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

**S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo)** – Concerns installation of electric vehicle charging stations in common interest communities

**S-2425/A-3851 (Singleton, Andrzejczak/Conaway)** – Revises law relating to common interest communities

**S-2429/A-4028 (Scutari, Pou/Bramnick, Downey)** – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

**S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy)** – Requires public schools to administer written screenings for depression for students in certain grades

**S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter)** – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

**S-2957/A-4712 (Stack/Mukherji, Chaparro)** – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

**S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce)** – Establishes the "Energy Infrastructure Public-Private Partnership Act"

**S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy)** – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

**S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo)** – Provides tuition fee waiver apprenticeship courses

**S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land)** – The "Electronic Construction Procurement Act"

**S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano)** – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

**S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttel, Chiaravalloti, McKnight)** – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

**S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce)** – Establishes certain requirements for stop loss insurance offered to small employers

**S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer)** – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

**S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones)** – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

**S-3888/A-5585 (Ruiz/Dancer, Pintor Marin)** – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

**S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter)** – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

**S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin)** – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

**S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones)** – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

**A-491/S-4340 (Jimenez/Sacco, Stack)** – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

**A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden)** – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

**A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho)** – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

**A-1526/S-1048 (Zwicker, Johnson/Vitale)** – Concerns payment of independent contractors

**A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho)** – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

**A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith)** – Requires paint producers to implement or participate in paint stewardship program

**A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak)** – Establishes "Electronic Permit Processing Review System"

**A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan)** – Establishes expedited construction inspection program

**A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan)** – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

**A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana)** – Requires reporting of opioid deaths

**A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado)** – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

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**ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney)** – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

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